

Settle 2/7/20

JUDGE SCHOFIELD

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>2/7/2020</u>
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U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Applicant,

v.

NEW YORK STATE DEPARTMENT
OF LABOR,

Respondent.

Misc. Action No.

20 MISC 0049

ORDER TO SHOW CAUSE

Applicant United States Equal Employment Opportunity Commission (“EEOC”) has filed an Application for an Order to Show Cause why a certain administrative subpoena should not be enforced. The EEOC states that Subpoena No. NY-A21-008 (“the Subpoena”) was issued to Respondent New York State Department of Labor, pursuant to Section 710 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-9, on January 15, 2020, in connection with the EEOC’s investigation of EEOC Charge Nos. 520-2016-01734 and 520-2016-01736 filed against Stardust Diners, Inc. (FEIN No. 11-2125402).

The EEOC has represented that Respondent has consented in writing to have service of this order served via electronic mail to Respondent’s Director of Litigation.

It is hereby ORDERED that:

1. Applicant shall serve Respondent with a copy of its Application and all supporting materials and with a copy of this Order electronically within three (3) business days

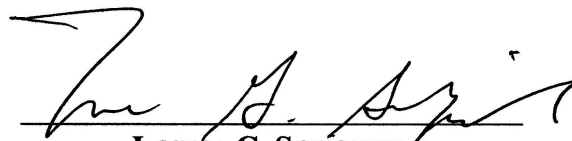
of the entry of this Order; and Applicant shall file proof of service once such service has been completed;

2. Within 21 days of the entry of this order, Respondent shall comply with the Subpoena or else file and serve an answer to the Application showing cause why the Subpoena should not be enforced.

3. If Respondent complies with the Subpoena, the EEOC shall certify that to the Court within 30 days of the entry of this order and this case thereafter will be closed.

4. If Respondent files an answer to the Application, Applicant shall file and serve any reply in support of its Application within 14 days after the filing of Respondent's answer, and the Court will schedule a hearing, if needed.

Dated: February 7, 2020


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE